

REMARKS

Claims 1-5 will be pending and under consideration upon entry of the present amendment. Claims 6-19 are canceled without prejudice herein. Claims 6-19 are canceled in view of their withdrawal due to a restriction requirement. Applicants fully reserve all rights to pursue the subject matter of claims 6-19 in one or more related applications.

Claims 1 and 2 have been amended to more clearly recite the claimed subject matter. In particular, claim 1 has been amended to recite that the peptide consists of the recited sequence, and to correct typographical errors within the sequence identifier numbers. Claim 2 has also been amended to correct a typographical error regarding a sequence identifier number. The amendments regarding the sequence identifiers are not narrowing and are in no way related to the patentability of these claims. No new matter has been added by the amendments to the claims.

1. Rejections under 35 U.S.C. § 112, First Paragraph

Claims 1-5 are rejected under 35 U.S.C. § 112, first paragraph, allegedly because the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with the claimed subject matter. Specifically, the Examiner alleges that the specification enables peptides consisting of the amino acid sequence recited in claims 1-5 but does not provide enablement for any peptide having the amino acid sequence recited in claims 1-5. Additionally, claims 1-5 are rejected under 35 U.S.C. § 112, first paragraph, allegedly for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time of the application was filed, had possession of the claimed invention. Specifically, the Examiner alleges that, although Applicants are in possession of a peptide consisting of the amino acid sequences recited in claims 1-5, Applicants are not in possession of any peptide having the

amino acid sequence recited in claims 1-5.

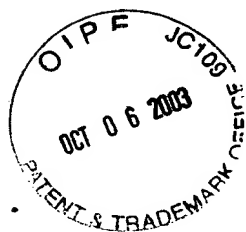
In response, Applicants have amended to claim to recite "consisting of". In view of this amendment, Applicants submit that the currently claimed subject matter is both fully enabled and described by the specification. Applicants note, however, that such an amendment is not a narrowing amendment since in the present instance the term "having" is equivalent to the term "consisting of".

In view of the foregoing, Applicants respectfully submit that these Section 112 rejections have been overcome and, therefore, must be withdrawn

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CONCLUSION

Applicants respectfully request that the above-made amendments and remarks of the present response be entered and made of record in the file history present application. Applicants submit that the presently pending claims meet all requirements for patentability and respectfully request allowance and action for issuance.

Applicants request that the Examiner call the undersigned at (212) 790-2129 if any questions or issues remain.

Respectfully submitted,

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Enclosures